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09/067,800, filed April 28, 1998, which claims the benefit of priority of U.S. Provisional Application No. 60/051,030, filed June 27, 1997, each of which is incorporated by reference in its entirety.--

IN THE CLAIMS:

Please cancel claims ~~1-4~~, 8, ~~19~~, ~~29~~ and 31-33. Please amend claims 5, 13, 14, 15, 16, 20, 24, 25 and 26 and add claims 34-40 as follows:

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5. (Amended) An expression cassette comprising a promoter operably linked to a heterologous IND1 polynucleotide, or a complement thereof, encoding an IND1 polypeptide, wherein:
the IND1 polypeptide is at least about 70% identical to SEQ ID NO:2;
the IND1 polypeptide comprises a basic helix-loop-helix (bHLH) domain;
and
introduction of the expression cassette into a plant to suppress IND1 expression results in a plant with delayed fruit dehiscence.

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13. (Amended) A plant comprising a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding an IND1 polypeptide, wherein:
the IND1 polypeptide is at least about 70% identical to SEQ ID NO:2; and
the IND1 polypeptide comprises a basic helix-loop-helix (bHLH) domain.

14. (Amended) The plant of claim 13, wherein the polynucleotide encoding the IND1 polypeptide is operably linked to the promoter in the antisense orientation.

15. (Amended) The plant of claim 13, wherein the polynucleotide encoding the IND1 polypeptide is operably linked to the promoter in the sense orientation.

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16. (Amended) The plant of claim 15, wherein the polynucleotide further comprises a second polynucleotide sequence encoding the IND1 polypeptide wherein the second polynucleotide is operably linked to a second promoter in the antisense orientation.

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20. (Amended) A method of delaying fruit dehiscence in a plant, the method comprising suppressing expression of an IND1 nucleic acid in the plant by introducing into the plant a recombinant expression cassette comprising a promoter operably linked to a polynucleotide encoding an IND1 polypeptide at least about 70% identical to SEQ ID NO: 2, wherein the IND1 polypeptide comprises a basic helix-loop-helix (bHLH) domain.

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24. (Amended) The method of claim 20, wherein the polynucleotide encoding the IND1 polypeptide is operably linked to the promoter in the antisense orientation.

25. (Amended) The method of claim 20, wherein the polynucleotide encoding the IND1 polypeptide is operably linked to the promoter in the sense orientation.

26. (Amended) The method of claim 25, wherein the polynucleotide further comprises a second polynucleotide sequence encoding the IND1 polypeptide wherein the second polynucleotide is operably linked to a second promoter in the antisense orientation.

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34. (New) An expression cassette comprising a heterologous promoter operably linked to polynucleotide, or a complement thereof, wherein the polynucleotide is at least 65% identical to at least 200 contiguous nucleotides of SEQ ID NO:1, wherein introduction of the expression cassette into a plant to suppress IND1 expression results in a plant with delayed fruit dehiscence.

35. (New) The expression cassette of claim 34, wherein the polynucleotide is identical to at least 200 contiguous nucleotides of SEQ ID NO:1.

36. (New) The expression cassette of claim 34, wherein the polynucleotide is at least 500 nucleotides.

37. (New) The expression cassette of claim 34, wherein the polynucleotide is in a sense orientation with the promoter.

38. (New) The expression cassette of claim 34, wherein the promoter is constitutive.

39. (New) The expression cassette of claim 34, wherein the promoter is tissue specific.

40. (New) The expression cassette of claim 34, wherein the promoter is a dehiscence zone specific promoter.

REMARKS

1. Status of the claims

With entry of this amendment, claims 1-4, 8, 19, 29 and 31-33 are canceled without prejudice to revival. Claims 5, 13, 14, 15, 16, 20, 24, 25 and 26 are amended. Claims 34-40 are added. Claims 5-7, 9-18, 20-28, 30 and 34-40 are pending with entry of the Amendment.

Amendments in the claims are shown in Appendix A. For the convenience of the Examiner, Appendix B lists all pending claims.

2. Support for amendments to the claims

Support for the amendments to the claims can be found throughout the specification, the drawings, and the claims as originally drafted. Support for the term "heterologous: can be found on, e.g., page 8, line 30 to page 9, line 2 of the application.